

CASE NO. 5:23-CR-035-KDB-DCK

Defendant.

Case 5:23-cr-00035-KDB-DCK Document 40 Filed 05/09/24 Page 1 of 3

except by Court order, pursuant to a statute, or in accordance with a previously entered Rule 26(e) protective order.

(c) ***Motion to Seal or Otherwise Restrict Public Access.*** A party's request to file materials under seal must be made by formal motion, separate from the motion or other pleading sought to be sealed, pursuant to LCvR 7.1. Such motion must be filed electronically under the designation "Motion to Seal." The motion must set forth:

- (1) A non-confidential description of the material sought to be sealed;
- (2) A statement indicating why sealing is necessary and why there are no alternatives to filing under seal;
- (3) Unless permanent sealing is sought, a statement indicating how long the party seeks to have the material maintained under seal and how the matter is to be handled upon unsealing; and
- (4) Supporting statutes, case law, or other authority.

LCvR 6.1.

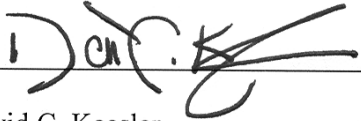
By the instant motion, the Government seeks to file a "... Response To Defendant's Cover Letter For Enclosed Declaration And Supporting Memorandum" (Document No. 37) under seal. (Document No. 38). The Government contends that this filing includes sensitive information that should be sealed. Id.

Having considered LCvR 6.1(c) and LCrR 49.1.1, and the record of this case, the Court will allow the Government's motion. Noting that the time for public response has not run to this motion, the Court will consider any objection to this Order from non-parties as an objection to the motion, requiring no additional burden for any non-party under the Federal Rules of Civil Procedure. See LCvR 6.1(e).

IT IS, THEREFORE, ORDERED that the Government's "Motion To Seal" (Document No. 38) is **GRANTED**. Document No. 37 shall be **SEALED** and remain under **SEAL** until otherwise ordered by this Court.

SO ORDERED.

Signed: May 9, 2024



David C. Keesler
United States Magistrate Judge

